

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of the Residential  
Building Contractor's License of Thistle  
Group, Inc., and Jennifer Kenna and  
Ronald Kenna, individually

**PREHEARING ORDER**

A prehearing conference was held by telephone on May 15, 2009. Michael J. Tostengard, Assistant Attorney General, appeared on behalf of the Department of Labor and Industry. Patrick J. Hynes appeared on behalf of Thistle Group, Inc., and Jennifer and Ronald Kenna.

The parties have agreed to engage in informal discovery. In the event of a disagreement, either party may request a telephone conference or file a written motion seeking specific relief. The parties intend to engage in discussion with the hope of resolving the matter through settlement. However, it was agreed that a date for hearing would be set in the event that the matter is not settled.

**IT IS HEREBY ORDERED:**

1. This matter is scheduled for hearing on **September 17, 2009**, commencing at **9:30 a.m.**, at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, Minnesota.

2. The parties shall exchange proposed written exhibits and witness lists, and file an index of exhibits and a copy of the witness list with this office by **September 10, 2009**. See Minn. R. 1400.6950. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit shall notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived.

3. Hearings are ordinarily digitally recorded. In the event that any party requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **September 10, 2009**. See Minn. R. 1400.7400, subp. 2.

4. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at [www.oah.state.mn.us](http://www.oah.state.mn.us).

5. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.

6. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 18<sup>th</sup> day of May 2009.

s/Beverly Jones Heydinger  
BEVERLY JONES HEYDINGER  
Administrative Law Judge